

**MINUTES OF THE CITY COMMISSION MEETING
JULY 26, 2004**

The City of Leesburg Commission held a regular meeting Monday, July 26, 2004, in the Commission Chambers at City Hall. Mayor Knowles called the meeting to order at 5:30 p.m. with the following members present:

Commissioner Bob Lovell
Commissioner Ben Perry
Commissioner Lewis Puckett
Mayor David Knowles

Commissioner John Christian was out of town. Also present were City Manager (CM) Ron Stock, City Clerk (CC) Betty Richardson, City Attorney (CA) Fred Morrison, Deputy City Clerk (DCC) Diane Gibson Smith, the news media, and others.

Commissioner Lovell gave the invocation followed by the Pledge of Allegiance to the Flag.

**APPROVED CITY COMMISSION MINUTES OF THE REGULAR MEETING HELD
JULY 12, 2004**

Commissioner Puckett moved to approve the City Commission minutes of the regular meeting held July 12, 2004. Commissioner Perry seconded the motion and it carried unanimously.

PRESENTED SERVICE AWARDS

Fire Chief Dennis Sargent presented a service award to Jeffrey Bennett for twenty years in the Fire Department.

Recreation & Parks Director Yvette Hartsfield presented Randy Mort a service award for twenty years in the Recreation & Parks Department.

**HEARD REPORT ON THE BOND ISSUE FROM THE CITY'S FINANCIAL ADVISOR
JEFF LARSON OF KIRKPATRICK PETTIS**

Jeff Larson, Senior Vice President, Regional Manager of Kirkpatrick Pettis, introduced the members of the Finance Team who worked on the recent bond issue: Bill Spivey of Kirkpatrick Pettis, Rick Stevens of Holland and Knight, Margo Sconza of CitiCorp, Randy Clement of Bryant and Olive, Finance Director Bill Pfeilsticker, and Deputy Finance Director Diane Reichard. Jeff McGarvey of RW Beck arrived during the presentation.

Mr. Larson distributed and reviewed background information on the bond issue and information on ratings and interest rates received. (Copy of the handout attached.) He noted splitting the Electric System from the other Utility Systems was done for additional flexibility. The revenue strength of these utility systems was significant in the rating of the City. Mr. Larson further noted Moody's and Fitch also gave the City as implicit general obligation rating.

CM Stock stated the last time the City received an "A" rating from Fitch was in 1938. The last time the City receive any "A" rating was in the mid-1970's. This "A" rating positively affects a number of other transactions the City is involved in such as leasing of cars, etc.

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CONSENT AGENDA:

Pulled – B3 Covenant Coach Contract - CM Stock stated this item has been pulled because the contracts were not properly signed by the company.

Commissioner Puckett moved to approve the items on the Consent Agenda except for B-3 and Commissioner Perry seconded the motion. The roll call vote was as follows:

Commissioner Lovell	Yea
Commissioner Perry	Yea
Commissioner Puckett	Yea
Mayor Knowles	Yea

Four yeas, no nays, the Commission approved the Consent Agenda, as follows:

PURCHASING ITEMS:

LB-04-26 Load Interrupted Switchgear for Electric Dept. awarded to Trayer Engineering Corporation for \$112,975.00.

Sole Purchase Sewer Line Inspection Digital Video System for Environmental Services
Source Dept. awarded to Cues, Inc. for \$109,612.00.

RESOLUTIONS:

RESOLUTION 7165

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement with MEA Group, Inc. to provide engineering, planning, and studies for various Airport projects, pursuant to RFP-04-17; and providing an effective date.

RESOLUTION 7166

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement with Wilbur Smith Associates to provide engineering, planning, and studies for various Airport projects, pursuant to RFP-04-17; and providing an effective date.

RESOLUTION 7167

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement with CHPC Leesburg, Silver Pointe, Ltd., a Florida Limited Partnership, to extend natural gas service to the Silver Pointe Apartments; and providing an effective date.

RESOLUTION 7168

A resolution of the City Commission of the City of Leesburg, Florida, approving a variance to Section 7.18 of the Land Development Code to extend the time for recording a final plat by an additional 60 days for a total of 330 days; and providing an effective date. (Majestic Oaks Landing Subdivision)

OTHER AGENDA ITEMS:

1. BPCA of \$17.50 per 1,000 kWh for August 2004
2. Monthly Financial Report for June 2004

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PUBLIC HEARINGS:

ADOPTED ORDINANCE 04-47 ACCEPTING AN UTILITY EASEMENT FROM DALE E. BARTCH, TRUSTEE, AT THE INTERSECTION OF MT. VERNON STREET AND U.S. HWY 441

CC Richardson read the ordinance, by title only, as follows:

An ordinance of the City of Leesburg, Florida, accepting a utility easement from Dale E. Bartch, Trustee, Grantor, to the City of Leesburg, as Grantee, pertaining to land located in Section 30, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date.

Commissioner Perry moved to approve the ordinance and Commissioner Puckett seconded the motion. The roll call vote was as follows:

Commissioner Perry	Yea
Commissioner Puckett	Yea
Commissioner Lovell	Yea
Mayor Knowles	Yea

Four yeas, no nays, the Commission adopted the ordinance.

INTRODUCED AN ORDINANCE ACCEPTING AN UTILITY EASEMENT FROM STRONG BROTHERS PARTNERSHIP ALONG U.S. HWY 441

Commissioner Perry introduced the ordinance to be read, by title only. CC Richardson read the ordinance by title only, as follows:

An ordinance of the City of Leesburg, Florida, accepting a utility easement from Strong Brothers Partnership, as grantor, to the City of Leesburg, as grantee, pertaining to land located in Section 19, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date.

INTRODUCED AN ORDINANCE VACATING PART OF AN UTILITY EASEMENT ALONG THE NORTH BOUNDARY OF LOT 8, THE MEADOWS OF LEESBURG, ALONG GINGER CIRCLE, OWNED BY CHERRIE A. SMITH

Commissioner Puckett introduced the ordinance to be read, by title only. CC Richardson read the ordinance by title only, as follows:

An ordinance of the City of Leesburg, Florida, vacating part of a utility easement along the north boundary of Lot 8, The Meadows of Leesburg, as recorded in Plat Book 27, Pages 69 and 70, Public Records of Lake County, Florida, owned by Cherrie A. Smith, said property generally located north of Ginger Circle, in the Meadows of Leesburg, lying in Section 35, Township 19 South, Range 24 East, Lake County, Florida; and providing for an effective date.

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INTRODUCED AN ORDINANCE VACATING A PORTION OF AN UTILITY EASEMENT ALONG THE BOUNDARY BETWEEN LOTS 6 AND 7, OLDHAM'S INDUSTRIAL PARK, ALONG PROGRESS ROAD, OWNED BY RICHARD PITTS AND MARK D. SCHROEDER

Commissioner Puckett introduced the ordinance to be read, by title only. CC Richardson read the ordinance by title only, as follows:

An ordinance of the City of Leesburg, Florida, vacating a portion of a utility easement along the boundary between Lots 6 and 7 of Oldham's Industrial Park, as recorded in Plat Book 50, Page 82, Public Records of Lake County, Florida, owned by Richard Pitts and Mark D. Schroeder, said property generally located on Progress Road, south of Main Street, in Oldham's Industrial Park, lying in Section 29, Township 19 South, Range 24 East, Lake County, Florida; and providing for an effective date.

INTRODUCED AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN CHANGING THE FUTURE LAND USE MAP FOR 4.4 ACRES ALONG THOMAS AVENUE FROM RM TO I (DALE BARTCH)

Commissioner Perry introduced the ordinance to be read, by title only. CC Richardson read the ordinance by title only, as follows:

An ordinance amending the comprehensive plan for the City of Leesburg, changing the future land use map designation of certain property containing 4.4 acres and generally located on Thomas Avenue, north of railroad right-of-way, south of Griffin Road, lying in section 22, Township 19 South, Range 24 East, Lake County, Florida, from RM (Moderate Density Residential) to I (Industrial); and providing an effective date.

INTRODUCED AN ORDINANCE ANNEXING APPROXIMATELY 5.22 ACRES ALONG HWY 468 AND WEST MAIN STREET (BERYL STOKES)

Commissioner Puckett introduced the ordinance to be read, by title only. CC Richardson read the ordinance by title only, as follows:

An ordinance annexing certain property owned by Beryl N. Stokes, Jr., said property consisting of approximately 5.22 acres and being generally located north of State Road 44, and east of County Road 468, lying in Sections 21 and 28, Township 19 South, Range 24 East, Lake County, Florida, which is contiguous to the city limits of the City of Leesburg, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said City as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in Commission District 3; and providing for an effective date.

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INTRODUCED AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN CHANGING THE FUTURE LAND USE MAP FOR 5.22 ACRES FROM COUNTY A AND R-6 TO CITY GC ALONG HWY 468 AND WEST MAIN STREET (BERYL STOKES)

Commissioner Perry introduced the ordinance to be read, by title only. CC Richardson read the ordinance by title only, as follows:

An ordinance amending the comprehensive plan for the City of Leesburg, changing the future land use map designation of certain property containing 5.22 acres and generally located north of State Road 44, and east of County Road 468, lying in Sections 21 and 28, Township 19 South, Range 24 East, Lake County, Florida, from County A (Agricultural) and R-6 (Urban Residential) to City GC (General Commercial); and providing an effective date.

INTRODUCED AN ORDINANCE REZONING APPROXIMATELY 5.22 ACRES FROM COUNTY A AND COUNTY R-6 TO CITY C-3 ALONG HWY 468 AND WEST MAIN STREET (BERYL STOKES)

Commissioner Perry introduced the ordinance to be read, by title only. CC Richardson read the ordinance by title only, as follows:

An ordinance of the City of Leesburg, Florida, rezoning approximately 5.22 acres generally located north of State Road 44 and east of County Road 468, lying in Sections 21 and 28, Township 19 South, Range 24 East, Lake County, Florida, from County A (Agricultural) and County R8 (Urban Residential) to City C-3 (Highway Commercial); and providing an effective date.

INTRODUCED AN ORDINANCE AMENDING THE FIREMEN'S RETIREMENT PLAN TO INCREASE THE SUPPLEMENTAL RETIREMENT INCOME

Commissioner Perry introduced the ordinance to be read, by title only. CC Richardson read the ordinance by title only, as follows:

An ordinance of the City of Leesburg, Florida, amending the City of Leesburg Municipal Firemen's Retirement Plan to increase the supplemental retirement income from \$220.00 per month for a maximum of 72 months to \$13.00 per month per year of credited service but not less than \$220.00 per month payable to the first of the month in which the participant attains age 65; providing that invalidity of any portion hereof shall not affect the remaining portions of this ordinance; providing for severability; and providing for an effective date.

INTRODUCED AN ORDINANCE ESTABLISHING ARTICLE XII IN CHAPTER 7 OF THE CODE OF ORDINANCES ADOPTING IMPACT FEES FOR POLICE, FIRE, AND RECREATION

Commissioner Puckett introduced the ordinance to be read, by title only. CC Richardson read the ordinance by title only, as follows:

An ordinance of the City Commission of the City of Leesburg, Lake County, Florida to establish Article XII in Chapter 7 of the City Code, entitled "Municipal

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Services Impact Fees”: providing for the imposition of impact fees on land developed in the City of Leesburg for the provision of municipal services capital facilities related to police, fire and recreational services necessitated by new development; providing for authority to enact the ordinance; providing for commission findings; providing definitions; providing applicability; requiring payment of municipal services impact fees; providing a fee schedule; providing for the periodic adjustment of fees; providing exemptions; providing the timing of payment; providing options to finance fee payments; providing for the establishment of a municipal service impact fee trust fund for each type of fee; providing for use of the trust fund monies; repealing conflicting ordinances; providing for severability; and providing for an effective date.

Jean Kaminski, director of the Home Builders Association, thanked staff for allowing her to have some input on this ordinance. She stated the resident police and fire impact fees are in-line. The commercial impact fees for police and fire seem to be a bit high. She requested the City consider adopting a lower percentage rate for the recreation impact fees. She further requested wording from Page seven of the ordinance which states the fees will not be adjusted downward, be removed or changed.

APPROVED REQUEST FROM THE LEESBURG AREA CHAMBER OF COMMERCE FOR FUNDING AND SUPPORT STAFF (SECURITY THROUGH THE POLICE DEPARTMENT AND EVENT STAFF FROM RECREATION AND PARKS) FOR THE BASSMASTER TOUR EVENT IN FEBRUARY 2005

Commissioner Puckett questioned the amount budgeted for this item. CM Stock stated this item is included in next year’s budget. The Chamber must sign a contract prior to the City acting on the budget in September. The approval tonight will give the Chamber of Commerce additional confidence in the City’s commitment.

Commissioner Puckett moved to approve the request from the Leesburg Area Chamber of Commerce and Commissioner Perry seconded the motion. The roll call vote was as follows:

Commissioner Puckett	Yea
Commissioner Lovell	Yea
Commissioner Perry	Yea
Mayor Knowles	Yea

Four yeas, no nays, the Commission approved the request.

SET DATE, TIME, AND PLACE FOR FIRST PUBLIC HEARING FOR THE MILLAGE RATE AND CITY OF LEESBURG 2004-05 BUDGET

CM Stock requested approval to submit the City’s Certification of Taxable Value and set the tentative date for the first public hearing of the budget for Thursday, September 16, 2004 at 5:05 p.m.

Commissioner Perry moved to approve submittal of the City’s Certification of Taxable Value and setting the tentative date of the first public hearing for the budget for Thursday, September 16, 2004 at 5:05 p.m. The roll call vote was as follows:

Commissioner Lovell	Yea
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Commissioner Perry	Yea
Commissioner Puckett	Yea
Mayor Knowles	Yea

Four yeas, no nays, the Commission approved the request.

CITY ATTORNEY ITEMS: None

CITY MANAGER ITEMS: None

ROLL CALL:

Commissioner Lovell – None

Commissioner Perry –None

Commissioner Puckett – None

Mayor Knowles – Thanked Commissioner Puckett for presiding over the last City Commission Meeting. He wished Commissioner Puckett congratulations on keeping his Commission seat as there were no other qualifiers for the seat.

Commissioner Lovell moved to adjourn the meeting. Commissioner Perry seconded the motion and the meeting adjourned at 6:15 p.m.

Mayor

Attest:

City Clerk

Diane Gibson Smith

Recorder

MINUTES 040726